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10/526,278	03/01/2005	Christian Block	14219-079US1 P2002,0828 U	6665
26161	7590	12/10/2009	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			BAUER, SCOTT ALLEN	
			ART UNIT	PAPER NUMBER
			2836	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/526,278	Applicant(s) BLOCK ET AL.	
	Examiner SCOTT BAUER	Art Unit 2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/21/2009 & 08/17/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 22-24, 26-29, 31 & 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yrjölä et al. (US 5,521,561) in view of Larson. (US 6,822,295).

With regard to claim 22, Yrjölä, in Figure 2, discloses circuitry for use in a mobile telephone (column 1 lines 13-21) comprising: a terminal (A) for use with a high-frequency signal; at least two signal lines (R & T); a switching unit (K) for connecting the terminal to a signal line.

Yrjölä does not teach a primary protection device for protecting against electrostatic discharges, the primary protection device being between the terminal and the switching unit, the primary protection device comprising a first element that diverts all voltages having a pulse height greater than a 200 V switching voltage to a reference potential.

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Larson, in figure 1, and column 2 lines 6-19, teaches a device for receiving an RF signal from a terminal (112) wherein the device is prone to damage caused by surge voltages. The device is designed for use with RF signals in the microwave range from 900 MHz – 5.8 GHz (column 1 lines 36-45), which is the frequency band in which TDMA mobile phones operate. The device comprises a primary protection device (103, 104 & 106) being between a terminal (112) and a protected receiving device (111), the primary protection device comprising a first element (103, 104 & 106) that diverts all voltages having a pulse height greater than a 200 V switching voltage to a reference potential (column 6 lines 60-63).

Larson teaches that when the voltage at the terminal rises above 8 volts, which is the reverse breakdown voltage (6.5 V) of the zener diode (106) plus a forward biasing voltage of the PiN diode (101), the circuit will divert the voltage to ground.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yrjölä with Larson, by providing the circuit protection of Larson into the device of Yrjölä for the purpose of protecting the RF equipment of Yrjölä without degrading the signal quality.

With regard to claims 23 & 24, Yrjölä in view of Larson teaches the circuitry of claim 22.

Yrjölä in view of Larson further teaches that the first element has an insertion attenuation that is less than 0.3 dB (column 6 lines 3-11), and that the first element has a capacitance that is less than 1 pF (column 8 lines 1-7).

With regard to Claim 26, Yrjölä in view of Larson discloses the circuitry of Claim 22. Larson further discloses that the primary protection device comprises a circuit path (from 107 to 108) that connects the terminal and the switching unit; and wherein the first element (103, 104 & 106) connects the circuit path to the reference potential.

With regard to Claim 27, Yrjölä in view of Larson discloses the circuitry of Claim 22. Larson, in Fig. 2 further discloses a second element (101 & 102) that is in parallel with the first element, the second element for limiting a current load of the first element (column 3 lines 51-60).

With regard to Claim 28, Yrjölä in view of Larson discloses the circuitry of Claim 27. Larson further discloses a capacitor (105) on a circuit path between the first element (103, 104) and the second element (101, 102).

With regard to Claims 29 & 31, Yrjölä in view of Larson discloses the circuitry of claim 27. Siemens further discloses that the second element comprises is a discharger (101 & 102 discharges the current to ground) having a capacitance of less than 1 pF (column 6 lines 2-13).

With regard to claim 41, Yrjölä in view of Larson teaches the circuitry of claim 22.

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Yrjölä further teaches an arrangement for separating transmission and reception wherein a gallium arsenide switch is used to connect a transmitter and a receiver to a single antenna.

With regard to claims 42 & 43, Yrjölä in view of Larson discloses the circuitry of claim 22, comprising an antenna and wherein the signal lines comprise transmitting and receive paths.

Yrjölä et al, in figure 10, teaches an antenna connected to a separate transmitter and receiver through a switch wherein the circuit is part of a mobile phone (column 1 lines 1-12).

2. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable Yrjölä in view of Larson as applied to claim 22 above, and further in view of Mizutani (US 6,525,346)

With regard to Claim 25, Yrjölä in view of Larson teaches the circuitry of claim 22. Larson further discloses that the first element comprises a double PiN diode ((103 & 104).

Yrjölä in view of Larson does not teach the first element comprises a gallium arsenide double diode.

Mizutani, in Figure 14, teaches that a PiN diode can be constructed from GaAs (column 8, lines 45-57).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yrjölä in view of Larson with Mizutani,

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by constructing the double diodes taught by Larson with gallium arsenide, for the purpose of providing greater protection to the switching unit by increasing the switching speed of the protection circuit.

3. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yrjölä in view of Larson and further in view of Koss (US 5,122,921).

With regard to claim 32, Yrjölä in view of Larson discloses the device of claim 27.

Yrjölä in view of Larson does not teach that the second element comprises an inductive element having an inductance that is greater than 18 nH (column 4 lines 45-49).

Koss an arrangement similar to the protection of Larson wherein there is a capacitor and a first and a second element to protect a device. Koss teaches that a second element comprises an inductive element having an inductance that is greater than 18 nH (column 4 lines 45-49).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yrjölä in view of Larson with Koss, by incorporating the second element of Koss into the device Yrjölä in view of Larson, for the purpose of shunting transients that are too fast to trigger the protection device of Yrjölä in view of Larson (Koss column 5 line 64-column 6 line 14).

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4. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yrjölä in view of Larson as applied to claim 22 above, and further in view of Shrier (US 4,977,357).

With regard to Claim 30, Yrjölä in view of Larson teaches the circuitry of claim 22. Yrjölä in view of Larson does not teach that the second element comprises a polymer suppressor.

Shrier, teaches a protection element comprising a polymer suppressor.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yrjölä in view of Larson with Shrier, by incorporating the device of Shrier into the device of Yrjölä in view of Larson, for the purpose of providing a protection device that can respond to repetitive electrical transients with nanosecond rise times and have low electrical capacitance (column 1 lines 12-18).

5. Claims 33, 35 & 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yrjölä in view of Larson as applied to claim 22 above, and further in view of Kurchuk et al. (US 6272327).

With regard to Claim 33, Yrjölä in view of Larson teaches the circuitry of claim 22.

Yrjölä in view of Larson does not teaches that circuit paths that provide control signals to the switching unit, each of the circuit paths comprising a secondary protection device against electrostatic discharges.

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Kurchuk et al., in Figure 2, teaches a high power wireless telephone with over-voltage protection, comprising circuit paths (36 & 38) that provide control signals to the switching unit (24), each of the circuit paths comprising a secondary protection device (44 & 46) against electrostatic discharges (column 3 lines 66 & 67 & column 4 lines 1-4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yrjölä in view of Larson with Kurchuk et al., by Replacing the diplexer (3) taught by Yrjölä in view of Larson, with the switching unit taught by Kurchuk, for the purpose of providing a mobile phone with a switching unit that prevents receiver overloading without degrading the receiver sensitivity (Kurchuk et al. Column 2 lines 31-35).

With regard to Claim 35, Yrjölä in view of Larson and Kurchuk discloses the circuitry of Claim 22. Kurchuk further discloses that the switching units comprises field effect transistors (Q1 & Q2), a contact break distance of each of the field effect transistors connecting the terminal (30) to the signal line (32 & 34), and wherein the circuitry further comprises: circuit paths that connect to gates of the field effect transistors, the circuit paths (40 & 42) for providing control signals to the gates, each of the circuit paths comprising a secondary protection device (44 & 46) for protecting against electrostatic discharges.

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With regard to Claim 34, Yrjölä in view of Larson and Kurchuk discloses the circuitry of Claim 35. Kurchuk further discloses that at least one secondary protection device (44) is connected to the reference potential.

6. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yrjölä in view of Larson as applied to claim 22 above, and further in view of Toshiba (JP 02000134945).

With regard to Claim 34, Yrjölä in view of Larson teaches the circuitry of claim 22.

Yrjölä in view of Larson does not teach that the circuitry further comprises a circuit path for supplying for an operating voltage to the switching unit, the circuit path comprising a secondary protection device for protecting against electrostatic discharges.

Toshiba, in Figure 1, teaches a surge protection circuit for a switching unit (4) the circuit path supplies an operating voltage to the switching unit and the path comprises a protection device (6) for protecting against electrostatic discharges.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yrjölä in view of Larson with Toshiba, by protecting power terminal of the switching network taught by Yrjölä in view of Larson, with the protection device taught by Toshiba for the purpose of bypassing surge currents and voltages in the event of a line fault.

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7. Claims 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yrjölä in view of Larson and Kurchuk as applied to claim 33 above, and further in view of Ikeda et al. (US 5276422).

With regard to Claims 36-38, Yrjölä in view of Larson and Kurchuk teaches the circuitry of claim 36 and further teaches that the voltage limiting element comprises a zener diode (106) having a switching voltage that is less than 100 V as explained above.

Yrjölä in view of Larson and Kurchuk et al. does not teach that the voltage limiting element comprises a varistor.

Ikeda teaches a device to protect a load. The device contains an element (14) that absorbs surge voltages. Ikeda further teaches that the element (14) can be a CR filter, a varistor or a zener diode (column 3 lines 66-68 & column 4 lines 1-6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yrjölä in view of Larson and Kurchuk with Ikeda, by using the varistor of Ikeda as the zener diode taught by Larson, for the purpose of providing a voltage limiting element with a fast reaction time that increases the switching speed of the switching unit.

8. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yrjölä in view of Larson as applied to claim 22 above, and further in view of Trikha et al. (US 6,072,993)

With regard to Claim 40, Yrjölä in view of Larson discloses the circuitry of claim 22.

Yrjölä in view of Larson does not teach that the switching unit comprises PIN diodes.

Trikha, in Figure 3A, teaches a diplexer for a cellular phone wherein the switching element comprises pin diodes (116', 118', 120', & 122').

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yrjölä in view of Larson with Trikha, by replacing the switching unit taught by Yrjölä in view of Larson with the diplexer taught by Trikha, for the purpose of using the device in high frequency applications.

9. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yrjölä in view of Larson and further in view of Landy (2002/0080537).

With regard to claim 44, Yrjölä in view of Larson teaches the circuitry of claim 22.

Yrjölä in view of Larson does not teach that the switching unit and the primary protection device are integrated into a multi-layer ceramic substrate.

Landy, in Figure 1, teaches an ESD protected RX/TX switch circuit wherein the switch and the ESD protection are implemented as an RF integrated circuit which would necessarily comprise a multi-layer ceramic substrate.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Yrjölä in view of Larson with Landy, by

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incorporating a primary protection device and switch into one single unit on a multi-layer ceramic substrate, for the purpose of making the circuit more easy to mass produce thus decreasing the cost of the device.

Response to Arguments

10. Applicant's arguments filed 17 AUG 09 have been fully considered but they are not persuasive. Applicant argues that Yrjölä in view of Larson does not teach all language as specified in independent claim 22. Specifically Applicant argues that Yrjölä in view of Larson does not teach a first element that diverts all voltages having a pulse height greater than a 200V switching voltage to a reference potential. Applicant states that Larson teaches circuitry having different elements for protecting against negative and positive high voltage levels which is different than having a primary protection device that comprises a first element that diverts all voltages having a pulse height greater than a 200V switching voltage to a reference potential. It appears as though Applicant's main argument is that it takes three elements to divert all voltages having a pulse height greater than a 200V switching voltage to a reference potential. However, the three devices that make up the first element of Larson can all be taken together to be a current protection element. A claim is read to be given the broadest reasonable interpretation and there is no reason why one of ordinary skill in the art would not consider the ESD protection circuit to be considered an element. As the diodes and zener diode of Larson, together as an element teach shunt all voltages with a pulse higher than 200V to ground, it is believed that all recited claim language has been

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taught. If Applicant intends the first element to be a single, discrete device, the claim should be amended to reflect this feature, for example, the claim could recite that the first element comprises a single diode. As such the rejection is maintained.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCOTT BAUER whose telephone number is (571)272-5986. The examiner can normally be reached on M-F 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jared Fureman can be reached on 571-272-2391. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SAB

05 DEC 09

/Robert DeBeradinis/

Primary Examiner, Art Unit 2836